

## LEVI LUBARSKY &amp; FEIGENBAUM LLP

ATTORNEYS AT LAW

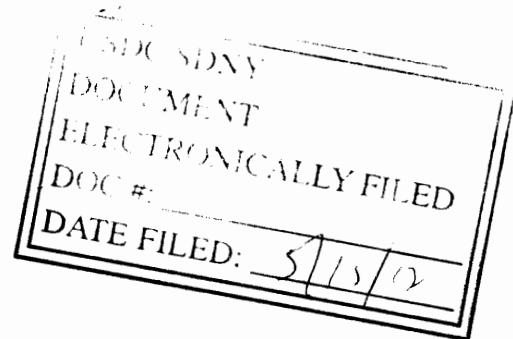
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MEMORANDUM

May 11, 2012

VIA FACSIMILE ((212) 805-4268)

Honorable Gabriel W. Gorenstein  
 United States Magistrate Judge  
 United States District Court  
 Southern District of New York  
 United States Courthouse  
 500 Pearl St.  
 New York, NY 10007



Re: *Gold & Rosenblatt, LLC v. JPMorgan Chase Bank, N.A.,*  
12 Civ. 00192 (AJN)

Dear Magistrate Judge Gorenstein:

We represent defendant JPMorgan Chase Bank, N.A. ("JPMorgan") in the above matter. Pursuant to your May 4, 2012 Order (annexed to this letter), you granted plaintiff's request to adjourn the settlement conference from May 7, 2012 to May 30, 2012. You also ordered that plaintiff's letter to the Court is due on Thursday, May 24th.

Plaintiff's counsel did not inform us of his request for adjournment until approximately two hours after the previous deadline for submission of letters, on May 2nd. Therefore, JPMorgan's letter was already submitted to the Court and transmitted to defendant when we learned of the request for adjournment.

While plaintiff will have the opportunity to review JPMorgan's letter for over three weeks prior to the settlement conference, JPMorgan will have only slightly more than two business days, as Monday, May 28th is a holiday.

JPMorgan therefore respectfully requests that your May 4, 2012 Order be modified so as to require plaintiff to submit its letter to the Court and to defendant's counsel at least one week in advance of the settlement conference.

*Granted without objection.*

*G. Lubarsky*  
 SIGNED: DATE: 5/15/12  
 GABRIEL W. GORENSTEIN  
 UNITED STATES MAGISTRATE JUDGE

Hon. Gabriel W. Gorenstein  
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JPMorgan's counsel sought plaintiff's consent to this request by e-mail on May 8, 2012, but to date no response to the e-mail has been received. JPMorgan's counsel also attempted to reach plaintiff's counsel by telephone on May 10, 2012, but plaintiff's counsel has not returned the call to date.

Respectfully submitted,



Adam Weiss

Enclosure

cc: Eric W. Berry, Esq.  
(via electronic mail)